

Remarks

Applicant replies to the Office Action dated September 1, 2011, within three months. Claims 1-7, and 9-20 are pending in the application and the Examiner rejects claims 1-7, and 9-20. Support for the amendments may be found in the originally-filed specification, claims, and figures. For instance, in at least paragraph [0020] of the application as filed. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

Rejection under 35 U.S.C. § 103(a)

The Examiner rejects claims 1-3, 5-7, 9-10, 12-14, and 16-20 under 35 U.S.C. 103(a) as being unpatentable over Janacek et al., U.S. Patent No. 6,684,248 ("Janacek"), in view of Poplawski et al., U.S. Publication No. 2003/0208441 ("Poplawski") in further view of Choubey et al., U.S. Patent No. 7,305,430 ("Choubey") in further view of Choski, U.S. Patent No. 6,477,243 ("Choski"). The Examiner rejects claims 4 and 11 under 35 U.S.C. 103(a) as allegedly being unpatentable over Janacek in view of Poplawski in further view of Choubey in further view of Choski and in further view of Fung et al., U.S. Publication No. 2002/0055909 ("Fung"). Applicant respectfully disagrees with these rejections, but Applicant amends certain claims without prejudice or disclaimer in order to clarify the patentable aspects of certain claims and to expedite prosecution.

Referring to the disclosure of Janacek, the Examiner states on page 6 of the Office Action "this message database is used to store all messages. One skilled should appreciate that email messages could be sent to a single user or multiple users, thus since Janacek's message database is capable of keeping track of both types of messages, and his message database is used to store all messages, his message database is used to store both single-recipient and multiple-recipient messages in a common storage area." However, this is in direct contrast to "wherein the primary message is not transmitted via email," as recited in independent claim 1 (emphasis added) and similarly recited in independent claims 9 and 20.

Additionally, Choubey discloses "a single copy of an incoming message addressed to multiple recipient's is stored as a shared message on a server and the message's size is determined." (emphasis added, abstract). In columns 2-4, Choubey details the complicated steps associated with the meta email server and the mail server software in order to determine if an

incoming message size and if the incoming message contains multiple recipients. Notwithstanding, Applicants previous stated position that Choubey is concerned with evaluating incoming email messages whereas the instant claims are focused on searching for and displaying a message, on page 8 of the Office Action the Examiner states “Note that in Choubey’s invention, if a message has multiple recipients (i.e. is intended for a first and second recipient), a single copy of the message is stored on in a common storage area and this single message is then dynamically retrieved for both the first and second intentioned recipient. However, Choubey, alone or in combination with the other cited references is silent as to “limiting, by the computer based system, access to the primary message to the first intended recipient to a pre-selected period after which the primary message is not accessible to the first indented recipient; and maintaining, by the computer based system, the primary message in the common storage area of the database for dynamic retrieval by a second intended recipient via the secure website, wherein the primary message may be accessible to the second intended recipient after the pre-selected period,” as recited in independent claim 1 (emphasis added) and similarly recited in independent claims 9 and 20.

Thus, Applicant submits that the cited references, whether considered individually or in combination in any combination, do not disclose or contemplate at least “limiting, by the computer based system, access to the primary message to the first intended recipient to a pre-selected period after which the primary message is not accessible to the first indented recipient; and maintaining, by the computer based system, the primary message in the common storage area of the database for dynamic retrieval by a second intended recipient via the secure website, wherein the primary message may be accessible to the second intended recipient after the pre-selected period,” as recited in independent claim 1 (emphasis added) and similarly recited in independent claims 9 and 20. Therefore, Applicant submits that independent Claims 1, 9 and 20 are allowable over the cited art.

Dependent claims 2-7, and 10-19 variously depend from independent claims 1 and 9. Therefore, Applicant asserts that dependent claims 2-7, and 10-19 are patentable for at least the same reasons stated above for differentiating independent claims 1, 9 and 20, as well as in view of their own respective features. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of dependent claims 2-7, and 10-19.

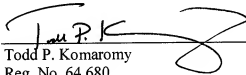
Also, for at least the reasons above, Applicant respectfully submits that the Office Action does not establish a *prima facie* case of obviousness.

When a phrase similar to “at least one of A, B, or C” or “at least one of A, B, and C” is used in the claims or specification, Applicant intends the phrase to mean any of the following: (1) at least one of A; (2) at least one of B; (3) at least one of C; (4) at least one of A and at least one of B; (5) at least one of B and at least one of C; (6) at least one of A and at least one of C; or (7) at least one of A, at least one of B, and at least one of C.

Applicant respectfully submits that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. Applicant invites the Examiner to telephone the undersigned, if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

Dated: November 10, 2011

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